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**REPORT TO: PLANNING AND REGULATORY SERVICES COMMITTEE ON  
30 MAY 2023**

**SUBJECT: 23/00369/PAN INSTALLATION OF A 30MW BATTERY STORAGE  
FACILITY WITH ASSOCIATED INFRASTRUCTURE ON LAND TO  
EAST OF A941, BISHOPMILL, ELGIN**

**BY: DEPUTE CHIEF EXECUTIVE (ECONOMY, ENVIRONMENT AND  
FINANCE)**

**1. REASON FOR REPORT**

- 1.1 To inform the Committee that a Proposal of Application Notice (PAN) was submitted on 27 February 2023 on behalf of Green Power Consultants.
- 1.2 This report is submitted to Committee in terms of Section III (E) (1) of the Council's Scheme of Administration relating to exercising the statutory functions of the Council as a Planning Authority.

**2. RECOMMENDATION**

**2.1 It is recommended that:**

- (i) in noting the terms of this report, the Committee advise upon any provisional views/relevant issues that Members of this Committee (or any other Member(s) of the Council) wish to raise about the proposed development so that these matters can be recorded and thereafter fed back to the prospective applicant in order to inform the development of their proposed formal application for planning permission; and
- (ii) the matters raised by the Committee also be forwarded to consultees likely to be involved in any formal application for planning permission for the proposal.

**3. BACKGROUND**

- 3.1 Scottish Government has published guidance which encourages elected members to highlight any issues with a proposed development at the pre-

application stage which they would wish to see taken into account within any formal application for planning permission.

- 3.2 Following consideration by this Committee on 11 November 2014 it was agreed that any PAN received after this date would be reported to Committee to give Members of the Committee, and the Council, the opportunity to identify any key issues/provisional views about the proposed development and that these matters be reported back to applicant (paragraph 4 of the Minute refers).
- 3.3 This current report is not about the merits of the proposed development but rather, based on local knowledge of local issues and wider concerns, etc. Members are invited to identify any matters relevant to the proposal. These will be reported back to the prospective applicant for their information and attention, and to inform the development of the proposed application. It is also proposed that, for information, Members' comments be forwarded to consultees likely to be involved in any formal application for planning permission for the proposal.
- 3.4 This PAN relates to a proposal for an energy storage facility with associated infrastructure. The submission states that the development would have a capacity of up to 30MW. A plan is appended showing the location and extent of the site (**Appendix 1**).
- 3.5 The site is located on land to the east of the A941 Elgin to Lossiemouth Road to the north of Elgin. It is accessed via an existing track from the A941 opposite its junction with Myreside Road. The site currently has a shed on it, and has recently been used as a construction compound associated with road upgrades to the A941 to accommodate the ongoing housing development at Findrassie.
- 3.6 Planning permission is required for this proposal. The proposal is for an energy installation with a capacity of 30MW therefore under the current hierarchy regulations the proposal would comprise a major development for planning purposes. The proposal will be subject to PAN and pre-application consultation (PAC) procedures with the local community. The applicant has been advised of the Council's pre-application advice service to assist in identifying key issues and information that would be expected to accompany any formal application.
- 3.7 A formal response has been issued to the applicant's agent to confirm that the proposed arrangements for engaging with the local community are sufficient. The applicant proposes to hold two public consultation events consult with the public, consultation with Innes, Elgin and Heldon community councils, and local politicians (Councillors and MP). In this case the applicant's agent has been advised that MSPs should be consulted on this PAN.
- 3.8 The PAN advises that public events were held at Borough Briggs, Elgin on 28 March 2023 and 11 April 2023. The events were to be advertised locally in advance of each event and allow an opportunity for feedback upon the proposal. Due to an error by the applicant (advertising both events in one advert rather than two separate adverts as required under the relevant

regulations), the applicant was advised to undertake a further consultation event with its own publicity in addition to those events already undertaken. For validation purposes for a major application, the applicant is required to submit a pre-application consultation report setting out the steps taken to consult with the local community together with details of comments made on the proposal and how the applicant has responded to all comments made on the proposal in the development of the application.

#### **4. SUMMARY OF IMPLICATIONS**

**(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))**

Identifying key issues at an early stage to assist with front loading major planning applications is a vital aspect of supporting and facilitating the Council's priority for economic development in Moray.

**(b) Policy and Legal**

Scottish Government guidance on the role of councillors in pre-application procedures affords elected members the opportunity to offer general provisional views on forthcoming developments which are the subject of a PAN where the details of the development have yet to be finalised.

**(c) Financial implications**

None.

**(d) Risk Implications**

None.

**(e) Staffing Implications**

None.

**(f) Property**

None.

**(g) Equalities/Socio Economic Impact**

None.

**(h) Climate Change and Biodiversity Impacts**

None.

**(i) Consultations**

Depute Chief Executive (Economy, Environment and Finance), the Head of Economic Growth and Development, the Legal Services Manager, the Development Management and Building Standards Manager, the Equal Opportunities Officer, the Strategic Planning & Delivery Manager, and Lissa Rowan (Committee Services Officer) have been consulted, and comments received have been incorporated into the report.

Members of Moray Council who are not on this Committee have also been consulted and any views received on the proposal will be made known at the meeting

## **5. CONCLUSION**

- 5.1 The Council has received a PAN intimating that a formal application for planning permission will be submitted for a major development proposal, in this case for permission for an energy storage facility. The Committee (and any other Member(s) of the Council) are asked to identify any provisional views/relevant issues which they would wish to see taken into account and inform the development of the proposal.**

Author of Report: Andrew Miller, Senior Planning Officer  
Background Papers: 23/00369/PAN  
Ref: